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FOR IMMEDIATE RELEASE
MARCH 2, 2004

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**U.S. ANNOUNCES GUILTY PLEAS BY SOUTH AFRICAN EXECUTIVE
ARNOLD BENGIS AND JEFFREY NOLL IN MASSIVE SEAFOOD
POACHING AND SMUGGLING SCHEME**

DAVID N. KELLEY, the United States Attorney for the Southern District of New York, DALE JONES, the Director of Enforcement for the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) Office for Law Enforcement, and JOHN P. TORRES, the Special Agent in Charge of the Newark, New Jersey, Office of the Bureau of Immigration and Customs Enforcement ("BICE"), announced that ARNOLD MAURICE BENGIS and JEFFREY NOLL pled guilty in Manhattan federal court today in a scheme to over-harvest massive quantities of South African rock lobster and Patagonian toothfish (known as Chilean seabass) illegally and then illegally import the fish into the United States. By pleading guilty, BENGIS and NOLL avoided trial which had been scheduled to commence on May 10, 2004, United States District Judge LEWIS A. KAPLAN.

BENGIS and NOLL pled guilty to one count of conspiracy

to violate the United States' Lacey Act and to commit smuggling, and three separate counts each charging them with violating the Lacey Act, a statute which makes it a crime to import into the United States and transport wildlife caught in violation of foreign or state law. Specifically, they are charged with importing illegally-harvested wildlife (South African South Coast and West Coast rock lobster and Patagonian toothfish) into the United States. The Indictment alleges that the lobster and toothfish had been harvested in violation of both South African law and international convention.

As part of their guilty pleas, BENGIS and NOLL also agreed to forfeit a total of at least \$5 million to the Government, the exact amount of which will be determined before sentencing. BENGIS and NOLL are scheduled to be sentenced on May 28, 2004, before the Judge KAPLAN.

According to the Indictment, the scheme was conducted through Hout Bay Fishing Industries (PTY) Ltd ("Hout Bay") in Cape Town, South Africa, and three U.S. companies affiliated with Hout Bay: Icebrand Seafoods, Inc. ("Icebrand"), Associated Sea Fisheries Inc. ("Associated") in Manhattan, and Icebrand Seafoods Maine Inc. ("Icebrand Maine") in Portland, Maine.

According to the Indictment, since at least 1987 and up to August 1, 2001, BENGIS, NOLL, and their co-conspirators (including BENGIS's son, defendant David Bengis), allegedly

engaged in an elaborate scheme first to harvest illegally large quantities of South and West Coast rock lobster and Patagonian toothfish, far in excess of applicable quotas, and then to export the illegal fish from South Africa to the United States. It is also alleged the defendants under-reported the fish harvest to South African authorities, and bribed South African fisheries inspectors to help them carry out their illegal harvesting scheme. The Indictment also accuses the defendants of submitting false export documents to South African authorities to conceal their over-harvesting.

In May 2001, South African authorities seized and opened a container of illegally harvested fish that ARNOLD BENGIS and his co-conspirators were attempting to export to the United States. Following that seizure, according to the Indictment, ARNOLD BENGIS and his co-conspirators engaged in a series of elaborate deceptions designed to avoid detection and perpetuate the scheme.

Among other things, ARNOLD BENGIS and his co-conspirators allegedly altered and destroyed documents indicating the actual quantity of seafood harvested by fishing vessels in South Africa. The defendants are also accused of removing large quantities of rock lobster from Hout Bay's storage facility in Cape Town, South Africa, and concealing them from authorities. The Indictment also alleges the scheme involved transporting large quantities of lobster from a storage warehouse in Newark,

New Jersey, to Massachusetts, and diverting an illegal shipment from its intended destination of Manhattan to Singapore and Hong Kong in order to avoid seizure by United States authorities.

The Indictment alleges that ARNOLD BENGIS was the Managing Director and Chairman of Hout Bay in Cape Town, and that he also exercised control over Icebrand and Associated in New York; and that NOLL was the Chairman and President of both Associated and Icebrand in New York.

ARNOLD BENGIS, 67, is a South African and United States national who has residences in Manhattan and Bridgehampton, New York, and in Cape Town, South Africa. He was arrested on August 7, 2003.

JEFFREY NOLL, 53, is a United States citizen who lives in Marietta, Georgia. He also was arrested on August 7, 2003.

Mr. KELLEY praised the investigative efforts of NOAA and BICE, and the assistance of the Directorate of Special Operations, National Prosecuting Authority of South Africa (commonly known as the "Scorpions") and South Africa's Marine and Coastal Management, a branch of the Department of Environmental

Assistant United States Attorney MARCUS A. ASNER is in charge of the prosecution and Assistant United States Attorney KATHERINE LEMIRE is in charge of the forfeiture aspects of the prosecution.

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